

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ANA LOPEZ, as the Personal Representative  
of the Estate of Luis Lopez, Deceased,

Plaintiff,

v.

Case No.: 1:19-CV-00855

THE CITY OF BELEN, SCOTT CONNER,  
and LEONA VIGIL, in their  
individual and official capacities,

Defendants.

**NOTICE OF REMOVAL**

COMES NOW Defendants the City of Belen, Scott Conner and Leona Vigil (“Defendants”), and pursuant to 28 U.S.C. § 1446(a), gives Notice of Removal to this Court of the above-captioned action pending in the Thirteenth Judicial District for the State of New Mexico, Valencia County as Cause No. D-1314-CV-2019-00974. In support thereof, Defendants states as follows:

1. This action was commenced by the filing of Plaintiff’s Complaint for Violations of First Amendment Free-Speech and Associational Rights Under 42 U.S.C. § 1983 on August 9, 2019. Defendants were served with Plaintiff’s Complaint on August 16, 2019.

2. The remaining process, pleadings and orders served upon the Defendant in this matter are attached hereto as **Exhibit A** and consist of:

- a. Plaintiff’s Complaint for Violations of First Amendment Free Speech and Associational Rights Under 42 U.S.C. § 1983 filed on August 9, 2019.

- b. Summons Return (City of Belen served August 16, 2019) filed on August 21, 2019.
  - c. Summons Return (Leona Vigil served August 16, 2019) filed on August 21, 2019.
  - d. Summons Return (Scott Conner served August 16, 2019) filed on August 21, 2019.
3. The Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), as it is filed within thirty (30) days of service of Plaintiff's Complaint.
4. A Civil Cover Sheet is attached as **Exhibit B**.
5. Pursuant to 28 U.S.C. § 1446(d), Defendant is serving this Notice of Removal to counsel for Plaintiff and filing it with the Clerk of the Thirteenth Judicial District Court, Valencia County, New Mexico with a Notice of Filing of Notice of Removal.

Respectfully submitted,  
MILLER STRATVERT P.A.

By /s/Paula G. Maynes  
Paula G. Maynes  
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**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing to be served on the following parties or counsel of record this 16<sup>th</sup> day of September, 2019, via United States first class mail, postage prepaid:

***Attorney for Plaintiff***

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Stephen Curtice  
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/s/ Paula G. Maynes

Paula G. Maynes

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